

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

AARON D. STODDART-CORDOVA,

Plaintiff(s),

v.

MATHEW HARTER, et al.,

Defendant(s).

Case No.: 2:19-cv-00436-APG-NJK

**REPORT AND RECOMMENDATION**

Plaintiff brings this case *pro se*, and is seeking to proceed *in forma pauperis*. District courts screen complaints brought by plaintiffs seeking to proceed *in forma pauperis*. 28 U.S.C. § 1915(e). A complaint should be dismissed for failure to state a claim upon which relief may be granted “if it appears beyond a doubt that the plaintiff can prove no set of facts in support of his claims that would entitle him to relief.” *Buckey v. Los Angeles*, 968 F.2d 791, 794 (9th Cir. 1992). A complaint may be dismissed as frivolous if it is premised on a nonexistent legal interest or delusional factual scenario. *Neitzke v. Williams*, 490 U.S. 319, 327-28 (1989). Moreover, “a finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible, whether or not there are judicially noticeable facts available to contradict them.” *Denton v. Hernandez*, 504 U.S. 25, 33 (1992). When a court dismisses a complaint, the plaintiff should be given leave to amend with directions as to curing its deficiencies, unless it is clear from the face of the complaint that the deficiencies could not be cured by amendment. *See Cato v. United States*, 70 F.3d 1103, 1106 (9th Cir. 1995).

1 In this case, the Court previously screened Plaintiff's complaint and determined that his  
 2 claims were barred by various immunities. Docket No. 3. Plaintiff has now filed an amended  
 3 complaint expanding on the theories underlying his claims. Docket No. 5. Generally speaking,  
 4 Plaintiff claims that he was duped into acknowledging parentage of his children without fully  
 5 understanding his obligations and has since been enslaved by the state family court system, which  
 6 Plaintiff alleges is operating as a fraudulent enterprise through forced contracts. *See id.* Plaintiff  
 7 is suing a state court judge and a government attorney. *See id.* at 2. Plaintiff is seeking varied  
 8 relief, including \$91,250,000 in damages. *See id.* at 6.

9 In light of the frivolous and delusional nature of Plaintiff's claims, the undersigned  
 10 **RECOMMENDS** that Plaintiff's complaint be **DISMISSED** with prejudice.

11 Dated: April 29, 2019

12   
 13 \_\_\_\_\_  
 14 Nancy J. Koppe  
 15 United States Magistrate Judge

### 16 **NOTICE**

17 Pursuant to Local Rule IB 3-2 **any objection to this Report and Recommendation must**  
 18 **be in writing and filed with the Clerk of the Court within 14 days of service of this document.**

19 The Supreme Court has held that the courts of appeal may determine that an appeal has been  
 20 waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S.  
 21 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified  
 22 time and (2) failure to properly address and brief the objectionable issues waives the right to appeal  
 23 the District Court's order and/or appeal factual issues from the order of the District Court.  
 24 *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708  
 25 F.2d 452, 454 (9th Cir. 1983).